

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

V.

DAMASO LOPEZ-SERRANO (1),
aka "Mini Lic,"
aka "Dani,"
aka "Jose Daniel Lopez Hernandez"

Defendant

Case Nos. 16cr1896-DMS
17cr3687-DMS

ORDER OF CRIMINAL FORFEITURE

WHEREAS, in the Indictment in case no. 16cr1896-DMS, the United States sought forfeiture of all right, title and interest in property of Defendant DAMASO LOPEZ-SERRANO (1) (“Defendant”), pursuant to Title 21, United States Code, Section 853 and Title 18, United States Code, Section 982, as charged in the Indictment; and

WHEREAS, on or about January 10, 2018, Defendant pled guilty before this Court to Counts 1 and 2 of the Indictment, which pleas included consents to the forfeiture allegations of the Indictment, and an agreement to forfeit to the United States the amount of \$1,000,000.00 as proceeds Defendant received from the offenses, which forfeiture shall be included and incorporated as part of the judgment in these cases; and

1 WHEREAS, by virtue of the admissions of the Defendant set out in the plea
2 agreements and guilty pleas, the Court determined that \$1,000,000 (U.S. dollars)
3 represents the moneys derived from and traceable to the gross proceeds that the
4 Defendant obtained directly as a result of the offenses to which Defendant pled guilty,
5 21 U.S.C. §§ 959, 960, and 963 (Count 1) and 21 U.S.C. §§ 952, 960, and 963 (Count 2),
6 as charged in the Indictment; and

7 WHEREAS, by virtue of said guilty pleas and the Court's findings, the
8 United States is now entitled to an Order of Forfeiture in its favor against the Defendant
9 for the proceeds received by the Defendant in the amount of \$1,000,000, pursuant to
10 21 U.S.C. § 853 and Rule 32.2(b) of the Federal Rules of Criminal Procedure; and

11 WHEREAS, by virtue of the facts set forth in the plea agreement and forfeiture
12 addendum, the United States has established the requisite nexus between the
13 \$1,000,000 forfeiture and the offenses; and

14 WHEREAS, the Defendant has agreed to submit a cashier's check payable to the
15 United States Marshals Service in the amount of One Million U.S. Dollars
16 (\$1,000,000.00) on or before the date of sentencing, currently set for July 12, 2018,
17 and has further agreed that upon entry of the order of forfeiture and timely payment of
18 the \$1,000,000, such order will be considered final as to Defendant's interests; and

19 WHEREAS, Defendant has warranted and represented as a material fact that the
20 \$1,000,000 used to pay the forfeiture is in fact proceeds of the offenses to which he has
21 pled guilty, is solely his property, that no other person or entity has any claim or interest
22 in the same, and that he will execute any and all documents requested by the
23 Government to facilitate or complete the forfeiture process; and

24 WHEREAS, the Defendant has agreed that the provisions for the substitution of
25 assets as provided in 21 U.S.C., § 853(p) exist and has agreed the United States may
26 take actions to collect the forfeiture; and

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1 WHEREAS, the United States, having submitted the Order herein to the
2 Defendant through his attorney of record, to review, and no objections having been
3 received;

4 Accordingly, IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

5 1. Defendant DAMASO LOPEZ-SERRANO (1) shall forfeit to the
6 United States the sum of \$1,000,000 pursuant to 21 U.S.C. § 853 in the form of a
7 forfeiture amount for the proceeds Defendant received from his offenses of conviction,
8 which forfeiture is in favor of the United States against Defendant DAMASO LOPEZ-
9 SERRANO, with interest to accrue thereon in accordance with 18 U.S.C. § 3612(f) and
10 28 U.S.C. § 1961.

11 2. Defendant shall submit a cashier's check payable to the United States
12 Marshals Service in the amount of One Million U.S. Dollars (\$1,000,000.00) on or
13 before the date of sentencing, which is currently set for July 12, 2018.

14 3. This Court shall retain jurisdiction in the cases for the purpose of
15 enforcing the order of forfeiture and collecting and enforcing the forfeiture.

16 4. Pursuant to Rule 32.2(b)(4), this Order of Forfeiture shall be made final
17 as to the Defendant at the time of sentencing and is part of the sentence and included
18 in the judgment.

19 5. Pursuant to Rule 32.2(b)(3), should the entire \$1,000,000 not be timely
20 paid, the United States may, at any time, conduct discovery to identify, locate, or
21 dispose of directly forfeitable assets and substitute assets against which this Order of
22 Forfeiture may be enforced.

23 6. The United States may, at any time, move pursuant to Rule 32.2(e) to
24 amend this Order of Forfeiture to substitute property having a value not to exceed
25 \$1,000,000 to satisfy the forfeiture in whole or in part.

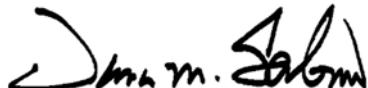
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1 7. The United States may take any and all actions available to it to collect
2 and enforce the forfeiture.

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4 Dated: April 17, 2018

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10 Hon. Dana M. Sabraw
11 United States District Judge
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